

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

TRACY BEASLEY,

Plaintiff,

v.

TRAVELERS COMMERCIAL
INSURANCE COMPANY,

Defendant.

No. 2:23-cv-00326-DJC-CSK

ORDER

Plaintiff Tracy Beasley has filed the instant request for a six-month continuance, (ECF No. 38), which the Court construes as a Motion for Administrative Relief as defined by Local Rule 233. Since this case was removed to this Court over one year ago, Plaintiff has sought to stay or continue the case five times either to allow Plaintiff time to secure legal counsel or because of medical issues. (See ECF Nos. 11, 12, 14, 36 and 38.) Most recently, on May 22, 2024, the Court granted Plaintiff's request for a sixty (60) day extension of time to retain counsel following the withdraw of her previous counsel due to Plaintiff's medical issues. (ECF No. 37.) Plaintiff's instant request, however, does not seek the extension of any particular deadline, but instead seeks what is effectively a stay of the case for the next six months while Plaintiff attends to her medical needs.

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1 Although the Court is sympathetic to Plaintiff's medical issues, Plaintiff has not
2 established the sort of hardship which would warrant such a lengthy stay when
3 balanced against the prejudice to Defendant and the efficient use of judicial
4 resources. Plaintiff has not described how her medical condition or planned health
5 care interfere with her ability to prosecute the case. *Compare Miesegaes v. Allenby*,
6 No. CV1501574CJCRAO, 2020 WL 3077906, at *2 (C.D. Cal. Feb. 11, 2020) (granting
7 an extension of stay where the court determined that the defendant was unable to
8 participate in his own defense of the claims against him at this time due to injuries). It
9 is also unclear whether Plaintiff's medical condition is likely to be resolved within the
10 requested time frame, and the Court is unable to grant an indefinite stay. If Plaintiff is
11 unable to prosecute her case at this time, she may stipulate to dismissal without
12 prejudice and refile when she is able.

13 Accordingly, IT IS HEREBY ORDERED THAT Plaintiff's request for a six month
14 continuance (ECF No. 38) is DENIED.

15 IT IS SO ORDERED.

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17 Dated: **July 9, 2024**


Hon. Daniel J. Calabretta
UNITED STATES DISTRICT JUDGE

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